

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

CHARLESTON DIVISION

Maricela Mendoza, et al.,

Plaintiffs,

v.

Civil Action Number 2:13-v-31570

Ethicon, Inc., et al.,

Defendants.

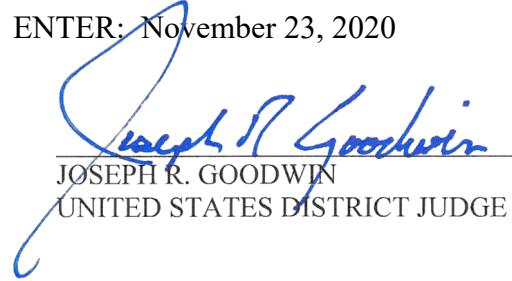
MEMORANDUM OPINION AND ORDER

On October 21, 2020, I entered an order directing plaintiffs to show cause on or before November 20, 2020, why their case should not be dismissed as to the remaining defendants, Ethicon, Inc. and Johnson & Johnson, pursuant to Rule 41(b) of the Federal Rules of Civil Procedure and Rule 41.1 of the Local Rules of Civil Procedure. The Order was sent to the plaintiffs at their last known address and posted on the court's website.

Plaintiffs failed to respond to the Show Cause Order. Pursuant to Rule 41(b) of the Federal Rules of Civil Procedure and Rule 41.1 of the Local Rules of Civil Procedure and after weighing the factors identified in *Ballard v. Carlson*, 882 F.2d 93, 95 (4th Cir. 1989), the court finds that the plaintiffs failed to prosecute their case. The court **ORDERS** that the above defendants are dismissed without prejudice. There are no remaining defendants in this case and, therefore, the court further **ORDERS** that the case is **DISMISSED** and **STRICKEN** from the court's active docket. All pending motions are **DENIED** as moot.

The court **DIRECTS** the Clerk to send a copy of this Order to counsel of record and plaintiffs at their address.

ENTER: November 23, 2020



Joseph R. Goodwin

JOSEPH R. GOODWIN
UNITED STATES DISTRICT JUDGE